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Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Room TW-204B
Washington, DC 20554

RE. RM-10740 ASSIGNED PETITION FILED MAY 27 BY MICHAEL LONNEKE, W0YR OF ROUND HILL, VIRGINIA, AND MELVIN LADISKY, W6FDR OF CAMARILLO, CALIFORNIA RECOMMENDING PART 97 BANDWIDTH RULE CHANGE

Gentlemen:

The principal's, noted above, have publicly demonstrated their outrage at a minority of Amateur Radio Operators who are stretching the rules by operating their enhanced Single Sideband equipment beyond legal limits and without concern for interference to fellow Radio Amateurs. The solution offered is, no doubt, well intended.

As a casual operator, I too have observed over-zealous operators creating splatter in the enhanced SSB mode - mostly on the 20-meter band. FCC Special Counsel R. Hollingsworth has publicly announced that the presence of enhanced SSB experimenters has led to complaints of these signals taking up excessive bandwidth.

In their wisdom, FCC Engineers & Attorney's carefully crafted language to withstand the test of time in writing Bandwidth Limitations. The requirement that amateur transmissions not occupy more bandwidth than necessary for the information rate and emission type being transmitted in accordance with good amateur practice and to not cause splatter on adjacent frequencies - is non-cryptic common sense language!

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Despite this effort, irrational amateur operators do operate their well engineered equipment outside design specifications and the law as irrational drivers drive perfectly safe automobiles in a reckless manner. The proliferation of illegal operating practices is evidenced by regular public reporting by FCC's Enforcement Bureau. It's obvious they're performing their mission well. But to protect Citizens, the enforcement process is designed to be slow.

Recommendation:

- 1. Deny Petition RM-10740. Existing FCC Rules & Regulations appear more than adequate to facilitate these new technologies. Malicious Interference continues unabated and is also thoroughly addressed under Part 97.*
- 2. In denying the above, Messrs. Lonneke and Ladisky should be lauded for highlighting the problem caused by improper operation of enhanced SSB equipment and placing offending operators on notice that excessive bandwidth and splatter will not be tolerated!*
- 3. Encourage Messrs. Lonneke and Ladisky to continue their activism in a non-confrontational manner by collecting petition signatures attesting to improper operating practices of specific stations - noting frequency and times of offenses. Petitions should be coordinated off air - perhaps via Internet or postal letter. This evidence may be used as the FCC desires thus facilitating the issue of notices to these individuals. Offenders must then respond to the FCC explaining their behavior. Being on a citation list is cause for concern in pondering possible legal action.*

Conclusion:

The existing Part 97 FCC Rules address bandwidth very adequately. They were apparently written to withstand the test of time and changes in technology. Further, FCC Rules were coordinated with the Department of Commerce in alignment with International Telecommunications Union Agreements.

When problems of illegal operation arise, we must ask the question - what can we do, as licensed radio amateurs, to discourage such operation rather than proposing changes in the rules. Chances are existing radio law will cover the offense and provide for resolution through enforcement. But give the FCC time and keep your own act clean.

President Hoover noted amateur radio operators were a self policing

***group. They should continue so! New laws are not the answer.
Following and fostering existing one's is!***

Submitted very respectfully,


David A. Olsen, W6PSS